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IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BARBARA A. WILHELM,  
Plaintiff

v.

COMMONWEALTH OF PA.;  
PENNSYLVANIA STATE POLICE;  
COLONEL PAUL J. EVANKO,  
COMMISSIONER; LIEUTENANT  
COLONEL THOMAS K. COURY; and  
CAPTAIN MICHAEL. D. SIMMERS,  
Defendants

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NO. 1:CV-01-1057

(JUDGE RAMBO)

FILED  
HARRISBURG, PA  
FEB 26 2003  
MARY E. D'ANDREA, CLE  
Per Deputy Clerk

**BRIEF IN SUPPORT OF PLAINTIFF'S MOTION FOR INTEREST  
ON JURY VERDICT AND THIS COURT'S AWARD OF FRONT  
PAY**

I. STATEMENT OF THE FACTS

On June 14, 2001, Barbara A. Wilhelm filed a complaint alleging she was dismissed in violation of Title VII of the Civil rights Act of 1964, as amended 42 U.S.C. § 2000 *et seq.*, and the Pennsylvania Human Relations Act 43 Pa. C. S. § 955. On September 11, 2002, the jury found for Ms. Wilhelm and awarded her \$250,000.00. On February 5, 2003, this Court awarded Ms. Wilhelm an additional \$27,148.05 in front pay.

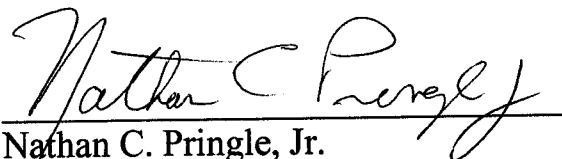
## II. ARGUMENT

It is well-settled under Pennsylvania law that a plaintiff is entitled to interest from the date of the verdict or judgment until the date paid. 42 Pa. C.S.A. § 8101. *Kessler v. Old Guard Mutual Insurance Company*, 391 Pa.Super. 175, 570 A.2d 569, 571 (1990). Pursuant to 41 P.S. § 202, the appropriate rate of interest is six per cent per annum.

Accordingly, the verdict and award as applied to Ms. Wilhelm's claim under Pennsylvania law entitles her to interest on the jury verdict at the rate of six per cent per annum from September 11, 2002, until the date of payment. She is also entitled to interest on this Court's award of front pay at the rate of six per cent per annum from February 5, 2003, until the date of payment.

## III. CONCLUSION

For the reasons set forth above, the Plaintiff urges this Honorable Court to grant her motion for interest on the jury verdict and this Court's award of front pay.



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February 26, 2003